



General Assembly

January Session, 2001

Raised Bill No. 6811

LCO No. 3316

Referred to Committee on Education

Introduced by:
(ED)

***AN ACT CONCERNING MASTERY TEST EXEMPTIONS FOR SPECIAL
EDUCATION STUDENTS AND STATE RESPONSIBILITY FOR
SPECIAL EDUCATION COSTS FOR NO NEXUS CHILDREN.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 10-14q of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 The provisions of this chapter shall apply to [any student] all
4 students requiring special education pursuant to section 10-76a, except
5 in those exceptional circumstances when the planning and placement
6 team [of such] for a student determines that [it would be inappropriate
7 to allow the student to take the examinations] an alternate assessment,
8 as specified by the State Board of Education, is appropriate. The
9 provisions of this chapter shall not apply to any student enrolled for
10 thirty school months or less in a bilingual program pursuant to
11 sections 10-17e and 10-17f or to any student enrolled for thirty school
12 months or less in an English as a second language program.

13 Sec. 2. Subdivision (2) of subsection (e) of section 10-76d of the
14 general statutes is repealed and the following is substituted in lieu

15 thereof:

16 (2) Notwithstanding any other provisions of the general statutes, for
17 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
18 whenever a public agency, other than a local or regional board of
19 education, the State Board of Education or the Superior Court acting
20 pursuant to section 10-76h, places a child in a foster home, group
21 home, hospital, state institution, receiving home, custodial institution
22 or any other residential or day treatment facility, and such child
23 requires special education, the local or regional board of education
24 under whose jurisdiction the child would otherwise be attending
25 school or, if no such board can be identified, the local or regional board
26 of education of the town where the child is placed, shall provide the
27 requisite special education and related services to such child in
28 accordance with the provisions of this section. Within one business day
29 of such a placement by the Department of Children and Families, said
30 department shall orally notify the local or regional board of education
31 responsible for providing special education and related services to
32 such child of such placement. The department shall provide written
33 notification to such board of such placement within two business days
34 of the placement. Such local or regional board of education shall
35 convene a planning and placement team meeting for such child within
36 thirty days of the placement and shall invite a representative of the
37 Department of Children and Families to participate in such meeting.
38 (A) The local or regional board of education under whose jurisdiction
39 such child would otherwise be attending school shall be financially
40 responsible for the reasonable costs of such special education and
41 related services in an amount equal to the lesser of one hundred per
42 cent of the costs of such education or the average per pupil educational
43 costs of such board of education for the prior fiscal year, determined in
44 accordance with the provisions of subsection (a) of section 10-76f. The
45 State Board of Education shall pay on a current basis, except as
46 provided in subdivision (3) of this subsection, any costs in excess of
47 such local or regional board's basic contributions paid by such board of
48 education in accordance with the provisions of this subdivision. (B)

49 Whenever a child is placed pursuant to this subdivision, on or after
50 July 1, 1995, but prior to July 1, 2001, by the Department of Children
51 and Families and the local or regional board of education under whose
52 jurisdiction such child would otherwise be attending school cannot be
53 identified, the local or regional board of education under whose
54 jurisdiction the child attended school or in whose district the child
55 resided at the time of removal from the home by said department shall
56 be responsible for the reasonable costs of special education and related
57 services provided to such child, for one calendar year or until the child
58 is committed to the state pursuant to section 46b-129 or 46b-140 or is
59 returned to his or her parent or guardian, whichever is earlier. If the
60 child remains in such placement beyond one calendar year the
61 Department of Children and Families shall be responsible for such
62 costs. During the period the local or regional board of education is
63 responsible for the reasonable cost of special education and related
64 services pursuant to this subparagraph, the board shall be responsible
65 for such costs in an amount equal to the lesser of one hundred per cent
66 of the costs of such education and related services or the average per
67 pupil educational costs of such board of education for the prior fiscal
68 year, determined in accordance with the provisions of subsection (a) of
69 section 10-76f. The State Board of Education shall pay on a current
70 basis, except as provided in subdivision (3) of this subsection, any
71 costs in excess of such local or regional board's basic contributions paid
72 by such board of education in accordance with the provisions of this
73 subdivision. (C) On and after July 1, 2001, whenever a child is placed
74 pursuant to this subdivision by a state agency or the superior court
75 and the local or regional board of education under whose jurisdiction
76 such child would otherwise be attending school cannot be identified,
77 the state shall be responsible for the cost of the special education and
78 related services provided to such child. The State Board of Education
79 shall pay on a current basis, except as provided in subdivision (3) of
80 this subsection, the local or regional board of education for the school
81 district in which the child is placed for such cost. (D) The costs for
82 services other than educational shall be paid by the state agency which

83 placed the child. The provisions of this subdivision shall not apply to
84 the school districts established within the Department of Children and
85 Families, pursuant to section 17a-37, the Department of Correction,
86 pursuant to section 18-99a, or the Department of Mental Retardation,
87 pursuant to section 17a-240, provided in any case in which special
88 education is being provided at a private residential institution,
89 including the residential components of regional educational service
90 centers, to a child for whom no local or regional board of education
91 can be found responsible under subsection (b) of this section, Unified
92 School District #2 shall provide the special education and related
93 services and be financially responsible for the reasonable costs of such
94 special education instruction for such children.

95 Sec. 3. This act shall take effect July 1, 2001.

Statement of Purpose:

To change the provisions for special education student exemption from the Connecticut Mastery Test and the Connecticut Academic Performance Test by specifying that such students be exempted only in exceptional circumstances when the planning and placement team determines that an alternate assessment, as specified by the State Board of Education, is appropriate. To make the state responsible for the cost of special education and related services provided to no nexus children placed in a school district by a state agency or the courts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]